

Division of Fish and Wildlife Issue Brief (update)

Issue Brief Title: *Consideration for changing bass angling seasons for inland waters of Minnesota*

Issue

Many anglers are seeking additional angling opportunities before the traditional fishing opener. The Bass Technical Team believes that catch-and-release fishing for black bass can provide that additional opportunity with little to no conservation risk, while simplifying fishing regulations

Background

The Department of Natural Resources is constantly seeking ways to improve services for stakeholders. Fishing regulations are one tool the DNR uses to provide such service. Regulations define opportunities for anglers to participate in fisheries, while at the same time conserving resources by applying practical limits to those opportunities. Regulations are routinely updated to reflect changes in scientific knowledge about environments, fish biology, and angler preferences. A recent example was the increase in fishing opportunities for black bass in 2014. The new rule allowed for catch-and-release bass angling from the walleye opener until the traditional bass opener two weeks later.

The catch-and-release season for black bass could be extended with little risk to black bass populations. Currently the catch-and-release season begins before bass spawn in most of the state, and the closed season in April and early May does not protect spawning bass or improve spawning success. But even if there were increased pressure on spawning fish, the effects of angling have generally been limited to failure of some individual nests without leading to population level effects (Kieffer et al. 1995; Philipp et al. 1997; Suski et al. 2003; Suski et al. 2004). At present, only Minnesota and northern Maine maintain closed seasons for black bass as a standard regulation.

Bass populations are currently thriving in Minnesota and throughout the upper Midwest. Longer growing seasons associated with climate change favor warmer water species such as bass and panfish. Bass populations have shown increased abundance, increased sizes and broader geographic distribution (Figures 1-6).

Increasing angling opportunities in the spring may also increase interest in angling and angler retention. Many high schools are now participating in bass fishing leagues. Participation could increase if high school teams could recruit anglers before schools close for the summers. Allowing more time for people to go fishing may also encourage participation because the longer time frame may help reduce competition with other summer interests and activities.

Stakeholders

The Citizen's Bass Working Group has discussed this issue on multiple occasions. At our August 2023 meeting, members were initially divided on this issue. After much debate, the meeting concluded with those in attendance unanimously supporting the extended opportunity with two caveats. First, a sunset date would be proposed during which the DNR would conduct some form of evaluation to ensure that the extra fishing was not causing harm to bass fisheries across the state. Second, that no tournaments would be permitted prior to the walleye opener.

Enforcement staff should be engaged as complications for conservation officers may create barriers to expanding catch-and-release fishing opportunities for bass. Specifically, if catch-and-release bass fishing is allowed year-round, conservation officers may be required to differentiate between anglers targeting bass and anglers targeting walleye or other protected species. This would be similar to the current situation of identifying anglers targeting pre-season muskellunge when northern pike fishing is open.

A self-selection questionnaire was made available on "Engage with DNR" website from May 4, 2023, through September 10, 2023 in an effort to gauge how anglers felt about a potential season change for bass to include catch-and-release opportunities between the end of winter season and the current opener. Multiple social media channels were used as an outlet to request input. Multiple groups representing over 100,000 Minnesota anglers were invited to participate. Additional input was gathered through providing the link to the website at the state fair information booth and sharing the link through species technical and citizen workgroups. Over 3,000 responses were recorded. When asked "How much do you support or oppose the proposal to allow for an early catch-and-release angling season for bass from the end of the winter season to the current opening of fishing?", 91% (2,771) responded either support or strongly support. Even among self-identified, non-bass anglers (238 total), 74% (178) were either supportive or strongly supportive of an increased fishing opportunity. (Figures 7 and 8).

Tribal Interests

Bands were asked for their input into the extended catch-and-release season through emails sent to tribal contacts on both January 26, 2023 and through follow up emails over the next month to bands that had not responded. Of the 11 bands contacted, responses were received from the Leech Lake Band of Ojibwe and the Mille Lacs Band of Ojibwe. The Leech Lake Band was supportive of the regulation change with the understanding that we would continue to monitor bass populations to make sure additional angling opportunities do not harm Minnesota bass populations. The Mille Lacs Band not only favored the regulation change but suggested that bass regulations could be liberalized even more. The also expressed interest in conferring with the MNDNR at a later date on the future of bass management in the face of climate change. Other bands did not offer any concerns. The responses from the Leech Lake and Mille Lacs bands are attached.

Alternatives

1. STATUS QUO – Keep existing rules in place, 23 separate lines of rule.
2. CATCH-AND-RELEASE SEASON FOR SMALLMOUTH AND LARGEMOUTH BASS- Amend current regulations for Largemouth and Smallmouth Bass to include catch-and-release angling for bass from the current closure (end of February) until the traditional “harvest opener” (Saturday two weeks prior to Memorial Day).

Recommendation

Based on biological principals and in the interest of increasing angling opportunities, the Bass Technical Team recommends an extended catch-and-release season for black bass. The Team bases its recommendations solely on biological and conservation principles, and recognizes that other social, economic, and traditional values may contribute to the final decision.

Decision

Document the decision made regarding the issue presented. The decision could match the provided recommendation, modify the recommendation, or something else. Briefly describe the rationale for the decision (particularly if it differs from the recommendation).

The decision should be a final decision. It will need a public input component. If additional information is needed from the BTT, we can certainly provide that given a timeline and specifics.

Approvals

We seek approval by the Section of Fisheries management team.

Additional documentation included.

References

Gwinn, D. C. and M. S. Allen. 2010. Exploring Population-Level Effects of Fishery Closures during Spawning: An Example Using Largemouth Bass. *Transactions of the American Fisheries Society* 139:626–634.

Kieffer, J. D., M. R. Kubacki, F. J. S. Phelan, D. P. Philipp, and B. L. Tufts. 1995. Effects of catch-and-release angling on nesting male smallmouth bass. *Transactions of the American Fisheries Society* 124:70–76.

Suski, C. D., and D. P. Philipp. 2004. Factors affecting the vulnerability to angling of nesting male largemouth and smallmouth bass. *Transactions of the American Fisheries Society* 133:1100–1106.

Suski, C. D., J. H. Svec, J. B. Ludden, F. J. S. Phelan, and D. P. Philipp. 2003. The effect of catch-and-release angling on parental care behavior of male smallmouth bass. *Transactions of the American Fisheries Society* 132:210–218.

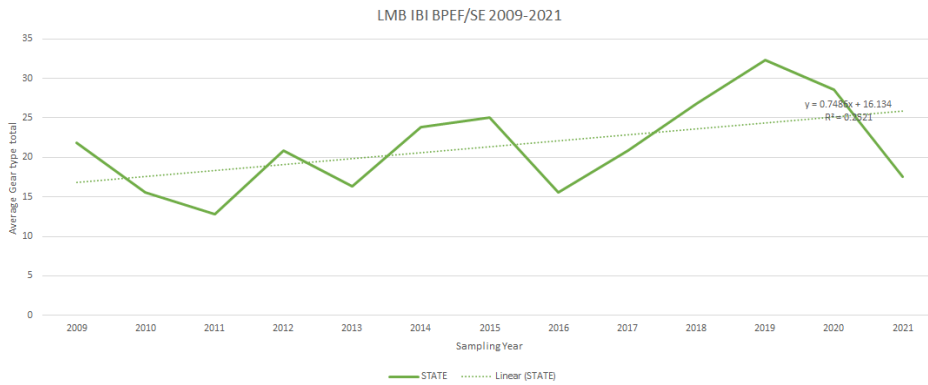


Figure 1. Largemouth bass occurrence in Index of Biotic Integrity (IBI) sampling stations throughout Minnesota, 2009-2021. Representing increasing abundance of primarily young-of-year largemouth bass over the history of the IBI sampling protocol.

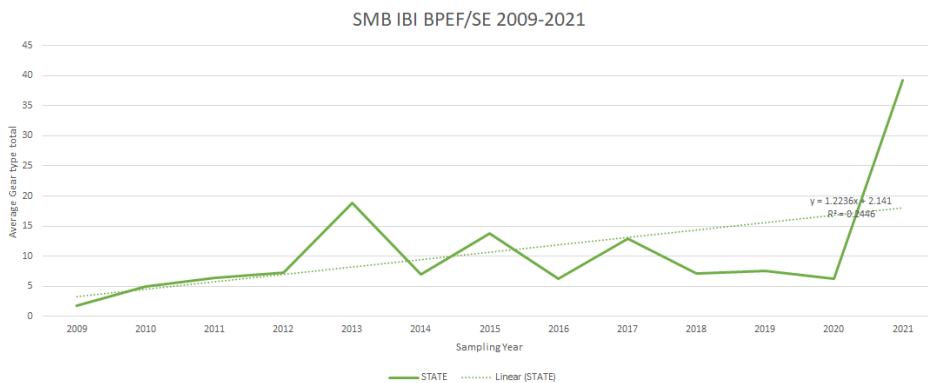


Figure 2. Smallmouth bass occurrence in Index of Biotic Integrity (IBI) sampling stations throughout Minnesota, 2009-2021. Representing increasing abundance of primarily young-of-year smallmouth bass over the history of the IBI sampling protocol.

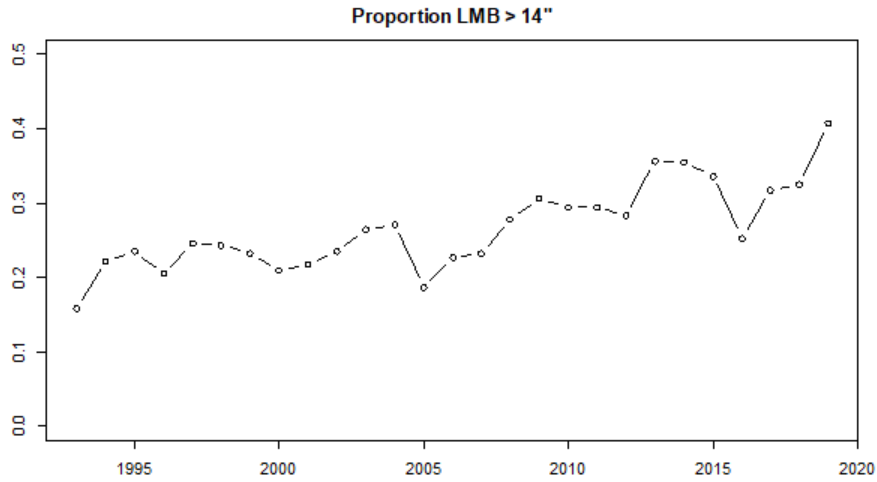


Figure 3. Increasing proportion of largemouth bass greater than 14" from electrofishing sampling 1993-2020. A Mixed Effect Linear model was applied to avoid between-lake sampling bias.

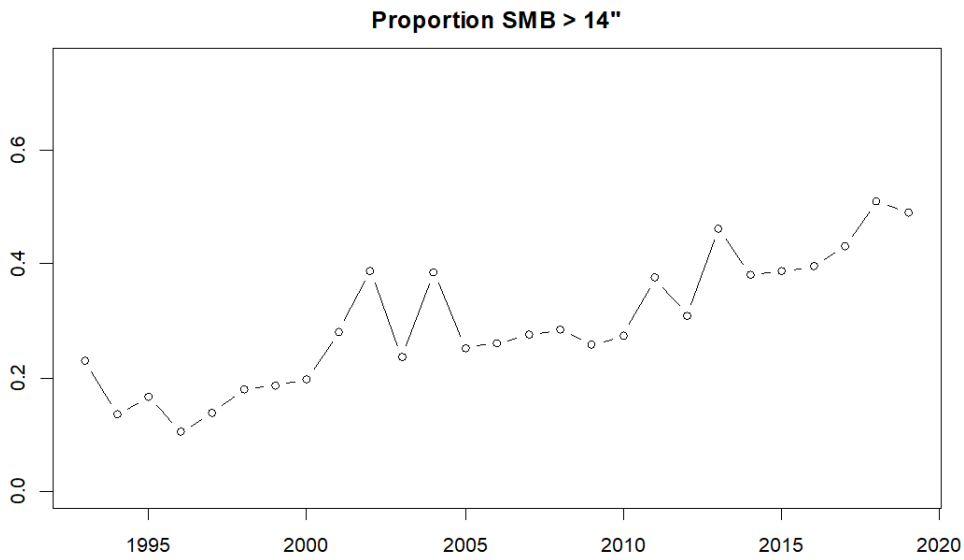


Figure 4. Increasing proportion of smallmouth bass greater than 14" from electrofishing sampling 1993-2020. A Mixed Effect Linear model was applied to avoid between-lake sampling bias.

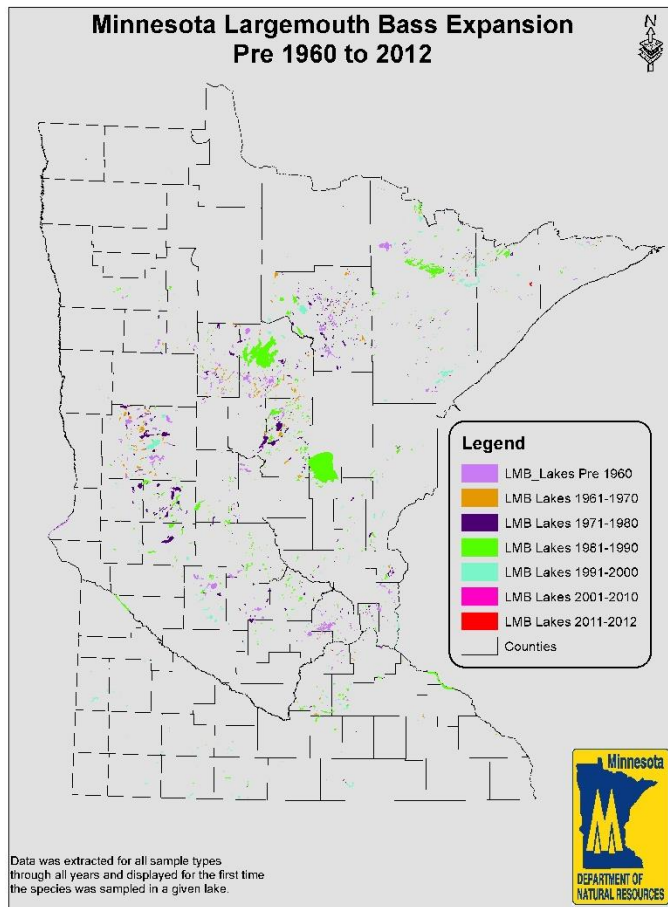


Figure 5. Largemouth bass distribution across the state of MN, as found in standard surveys. Noting the increased distribution from pre 1960 through 2012.

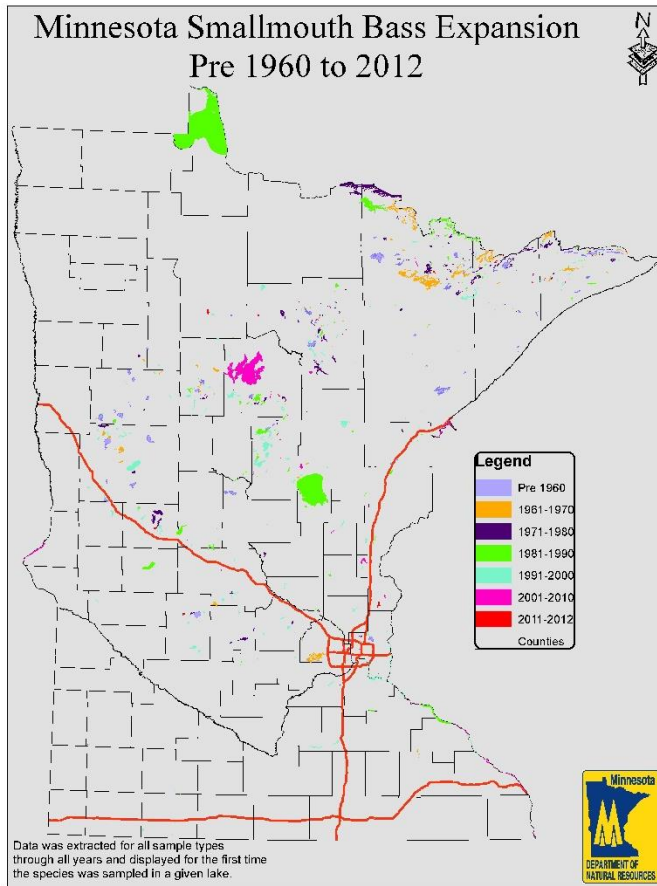


Figure 6. Smallmouth bass distribution across the state of MN, as found in standard surveys. Noting the increased distribution from pre 1960 through 2012.

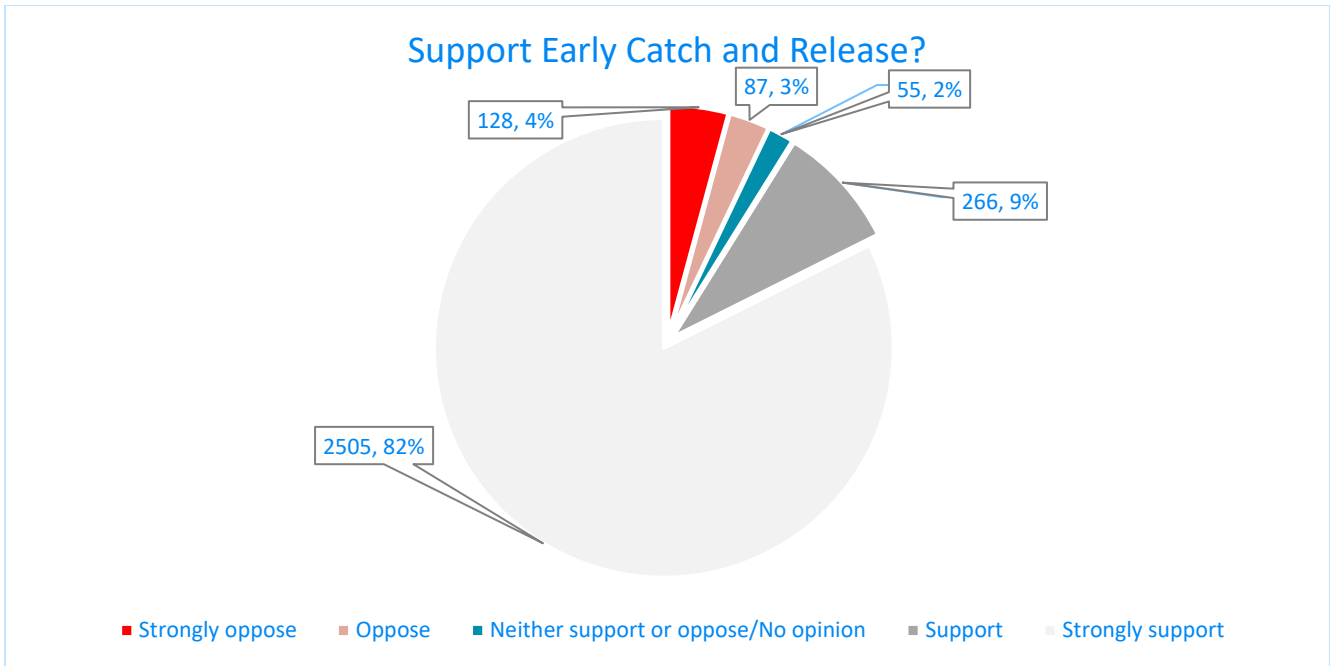


Figure 7. Self-selecting questionnaire results when asked "How much do you support or oppose the proposal to allow for an early catch-and-release angling season for bass from the end of the winter season to the current opening of fishing?"

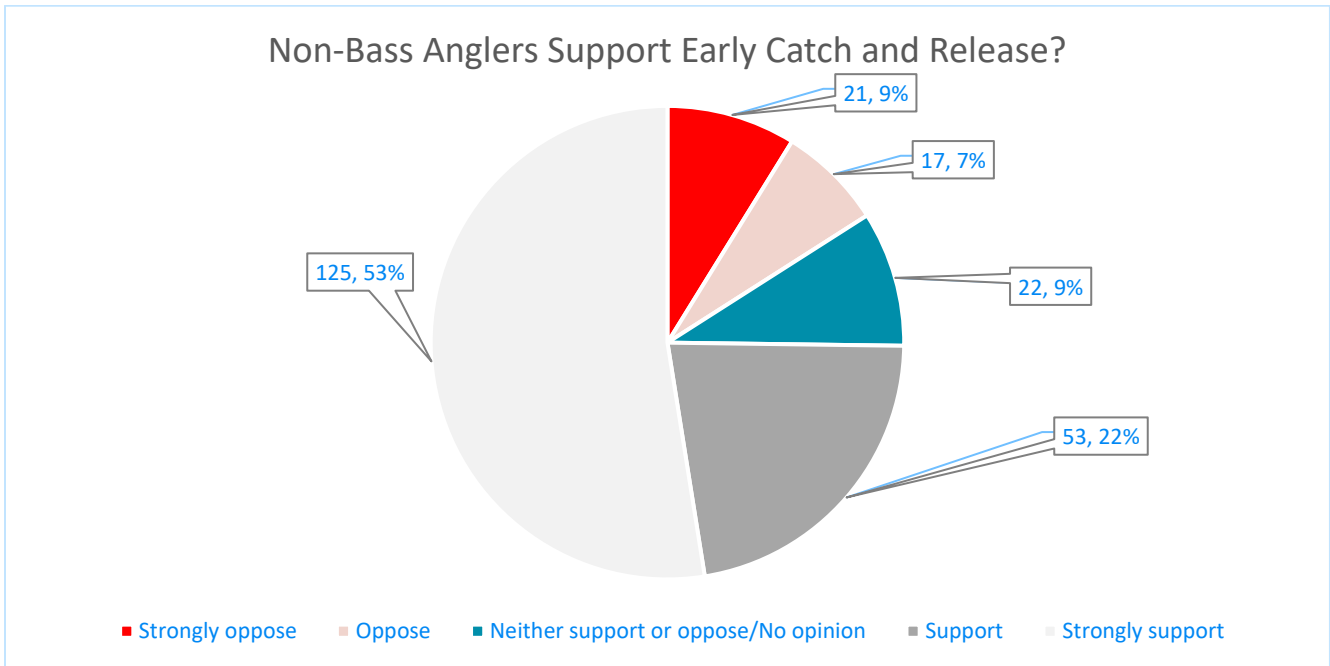


Figure 8. Self-selecting questionnaire results for non-bass anglers, when asked "How much do you support or oppose the proposal to allow for an early catch-and-release angling season for bass from the end of the winter season to the current opening of fishing?"



LEECH LAKE BAND OF OJIBWE
DIVISION OF RESOURCE MANAGEMENT

190 Sailstar Dr. NW, Cass Lake, MN 56633

March 6, 2023

Eric Altena, Area Fisheries Manager
Minnesota Department of Natural Resources
16543 Haven Road
Little Falls, MN 56345

Dear Eric,

On behalf of the Leech Lake Band of Ojibwe, thank you for the offering the opportunity to provide comments to you as a co-manager of fisheries resources in parts of Minnesota on the proposal by Minnesota DNR to extend the statewide catch-and-release season for largemouth and smallmouth bass. Any additional statewide seasons for fish and game have the potential to impact resources that are protected by treaty for Minnesota Tribal governments and it is important to recognize the need for early engagement.

Largemouth bass are found in most waters on the Leech Lake Reservation and smallmouth bass are starting to show up in increasing numbers. Bass don't receive a lot of attention from tribal anglers, outside of some recreational fishing for these species, as they are not nearly as good to eat as many of the other species of fish found here. Studies conducted on catch and release seasons for bass prior to the regular season does not seem to indicate that it changes or reduces the population for these species. For this reason we are supportive of your proposal, but suggest that some post implementation monitoring be included in the proposal to assure that this is also the case in Minnesota.

Our leadership and staff appreciate the opportunity to review and comment on the proposal prior to engaging other stakeholders in the general public.

Sincerely,

Steve Mortensen, Acting Director
Division of Resources Management
Leech Lake Band of Ojibwe

Mille Lac Band of Ojibwe Tribal Consultation:

Extension of State of Minnesota catch and release bass season

We agree that Largemouth and Smallmouth Bass (LMB & SMB) abundances have been increasing across the upper Midwest and have seen these changes in the fisheries which we manage. It is our opinion, that climate change is creating a niche for this species thus explaining the increase in proliferation of this being. Therefore, we do not oppose this extension of the LMB and SMB catch and release season. One suggestion that we may have is to continue to liberalize the LMB/SMB seasons even further. These species represent a sustainable food source and do not show signs of slowing down their recruitment or abundance. Furthermore, we believe that these fish species may be competing or utilizing food resources that other native species need to survive. Harvest regulations from March 1st- Last weekend in May probably still wouldn't impact the population, as many studies show that taking these fish species during the spawn rarely impact their recruitment and abundance. This should be considered in the future to prevent over population as we move forward with management of this warm water fish species.

Furthermore, the Mille Lacs Band of Ojibwe and the other 1837 signatory tribes would like to set up a discussion at a later time (TBD) with MNDNR staff to discuss Minnesota's statewide SMB and LMB regulations and how we can help with managing this species in the face of climate change/warming waters.

Sincerely,

Carl Klimah

Fisheries Manager

Mille Lacs Band of Ojibwe

320-733-0837

Steps required to open bass fishing year-round

Currently bass may not be “taken”, which includes catch and release angling, during the closed gamefish season (from Monday after the last Sunday in February through the Friday before the “fishing opener”). To allow catch and immediate release fishing during this closed period, both a statute and rule change are necessary. Specifically, largemouth bass and smallmouth bass would need to be stricken from statute [97C.395 Subd 1 \(a\)\(1\)](#) and Minnesota Rule [6262.0200 Supb. 1A](#) must be modified by changing the season to continuous for both zones (1) and (2) and adding language to the Daily and Possession Limits column specifying that from the Monday following the last Sunday in February through the Friday before the Saturday two weeks prior to the Saturday of Memorial Day weekend, all largemouth bass and smallmouth bass must be immediately released.

Relevant Excerpts

Statute:

[97C.395](#) Subdivision 1. Dates for certain species.

(a) The open seasons to take fish by angling are as follows:

(1) for walleye, sauger, northern pike, muskellunge, largemouth bass, and smallmouth bass, the Saturday two weeks prior to the Saturday of Memorial Day weekend to the last Sunday in February;

Rule:

[6262.0200](#) FISHING REGULATIONS FOR INLAND WATERS.

§Subpart 1. General inland fishing regulations. Fish may be taken in inland waters by angling during the time specified for each of the following species; however, certain waters of the state are subject to experimental or special regulations or are closed for taking and possessing fish. When the closing date of a season falls on a Saturday, the season extends through the following Sunday.

Species and Open Season	Daily and Possession Limits
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A. Largemouth and smallmouth bass.	6 in aggregate.
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(1) In all waters lying east and north of U.S. Highway 53 from Duluth to International Falls and Pelican and Ash Lakes, St. Louis County.

Saturday two weeks prior to the Saturday of Memorial Day weekend to the last Sunday in February.

(2) In all other waters.

From the Saturday two weeks prior to the Saturday of Memorial Day weekend to the Saturday of Memorial Day weekend, angling for bass is limited to catch and release only. Any bass must be immediately returned to the water. It is unlawful for anyone to have in possession, regardless of where taken, any bass while on or fishing in these waters. The Saturday of Memorial Day weekend to the last Sunday in February is the harvest season.

From the second Monday in September to the end of the season, angling for smallmouth bass is limited to catch and release only. Any smallmouth bass must be immediately returned to the water and it is unlawful for anyone to have in possession, regardless of where taken, any smallmouth bass while on or fishing in these waters.
